

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 and 10-15 are pending in the present application. Claims 1 and 8 are amended, Claim 9 is canceled without prejudice, and Claim 15 is added by the present amendment.

In the outstanding Office Action, Claims 1, 2, 4-6, and 8-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Furness (U.S. Patent No. 5,596,339) in view of Scarampi (International Application Publication No. WO 90/02453), and Claims 3, 7, and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Furness, Scarampi, and Kiefl (U.S. Patent No. 5,382,970).

In view of the outstanding rejections on the merits, independent Claims 1 and 8 have been amended to more clearly recite that viewing data is transmitted to a central unit with at least data on lines of sight relative to viewed video data and the central unit determines, based on the viewing data, picture regions of reproduced video data that have been viewed by the user. The claim amendments find support at page 2, lines 5-22, and at page 7, lines 25-28. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a method for capturing and processing viewing data which relate to the viewing behavior of users when viewing video data. The method includes projecting directly on the retina of a user the video data by means of a visual retinal display device, determining data about lines of sight of the user relative to the viewed video data, transmitting the viewing data to a central unit with at least the data on the lines of sight relative to the viewed video data, and determining, based on the viewing data, in the central unit, picture regions of reproduced video data that have been viewed by the user. Independent Claim 8 has been amended similar to independent Claim 1.

Turning to the applied art, Furness discloses an eye tracker for detecting a position of a pupil and using the position of the pupil for positioning an offset mirror for alignment purposes, as disclosed at column 7, lines 49-55. Further, Furness teaches using the position of the pupil for determining in the device's microprocessor, which part of the video information stored in a frame buffer the user is to perceive, as disclosed at column 7, lines 61-19. Thus, Furness teaches using the eye tracker for adjusting the selection and projection of the video information to the current position of the pupil. According to Furness, the current position of the pupil is **only used for device internal real-time applications**.

Therefore, Furness does not teach or suggest (i) capturing the current position of the pupil for non-real-time applications, (ii) means for transmitting the current position of the pupil via a telecommunications network to a central unit, and (iii) using an eye tracker for determining the current position of the pupil relative to video data viewed by the user.

Scarampi was discussed in the present application on page 1, lines 18-30. Scarampi's teachings are limited to detecting, from light reflections in a viewer's eyes, whether or not a television screen is looked at by the viewer (see page 10, line 23, to page 11, line 3 of Scarampi). However, Scarampi makes no reference to picture regions or picture objects viewed by a user as required by amended Claims 1 and 8.

Contrary to the outstanding Office Action assertion, the device of Scarampi does not transmit data on the lines of sight to the central unit. In fact, the device of Scarampi cannot determine specific data concerned with the lines of sight other than whether or not the television screen was looked at by the user.

Further, Scarampi only teaches that data collected by the device can be accessed by a central office via a phone line (page 14, lines 17-24). This data includes information whether or not the screen is being looked at (by monitoring the actual eye positions from reflections), individual eye characteristics such as a distance between the eyes, the clock time, a particular

television channel, the blinking rate, and changes in the pupil dilation. However, Scarampi does not teach or suggest capturing and/or transmitting to the central unit data on the lines of sight relative to the viewed video data.

Thus, even if one of ordinary skill in the art would hypothetically combine the teachings of Furness with the teachings of Scarampi, those teachings lack determining data on the lines of sight relative to the video data viewed by the user, as required by amended Claims 1 and 8.

Moreover, neither Furness nor Scarampi teaches or suggests determining in a central unit, based on the viewing data, picture regions of reproduced video data that have been viewed by the user.

In this regard, Scarampi only teaches determining in a central unit TV channels watched by a user, and Furness only teaches determining in a viewing device, video information to be presented to the user (no guarantee that the user actually watched the video and did not alter the viewing direction).

Accordingly, it is respectfully submitted that independent Claims 1 and 8 and each of the claims depending therefrom patentably distinguish over Furness and Scarampi, either alone or in combination.

Kiefl has been considered but does not cure the deficiencies of Furness and Scarampi discussed above. In addition, Claims 3, 7, and 14 depend from independent Claims 1 and 8, which are believed to be allowable as noted above. Accordingly, it is respectfully submitted that independent Claims 3, 7, and 14 are also allowable over the applied art.

New Claim 15 has been added to set the invention in a varying scope. Claim 15 finds support in the specification, at page 2, lines 16-18 and at page 7, line 28 to page 8, line 3. No new matter has been added. Because none of the cited documents teaches or suggests the features of Claim 15, i.e., determining in the central unit the correlation of the lines of sight

with picture objects contained in the video data based on stored pictorial content descriptions including object designations and locations, it is respectfully requested that Claim 15 be allowed for the same reasons as Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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